

REMARKS

Applicants have carefully reviewed this Application in light of the Advisory Action mailed September 2, 2003 (the "Advisory Action"). In the Advisory Action, Claims 5-9, 12 and 18 were objected to, Claims 1-4, 10-11, 13-15, 17 and 19-20 were rejected and Claim 16 was allowed.

Response filed 9/22/03 and Telephone Conference

On September 22, 2003, Applicants filed a Response Pursuant to 37 C.F.R. § 1.116 in response to the Advisory Action (the "Response to Advisory Action"). In the Response to Advisory Action, Applicants attempted to amend previously-rejected claims to include claim elements that the Advisory Action indicated were not taught by the cited art. On November 6, 2003, the Examiner engaged Applicants (specifically Chad C. Walters, Reg. No. 48,022) in a telephone conference in which the previously-rejected claims were discussed. No agreement was reached in the telephone conference. Applicants thus file this Request for Continued Examination so that the Examiner may enter the above amendments (which include the amendments presented in the Response to Advisory Action) and reconsider the rejection of the claims.

Objected to Claims 5-9 and 12

Claims 5-9 and 12 were objected to as being dependent from a rejected base claim. *See* Advisory Action, page 2. Applicants amend Claims 5, 8 and 12 so that each of the objected to Claims 5-9 and 12 either is in independent form or depends from an allowable independent claim. Such amendments do not narrow the scope of the claims.

Rejected Claims 1-4, 10-11, 13-15, 17 and 19-20

In the Advisory Action, the Examiner withdrew the rejection of Claim 18, because, as stated by the Examiner, the prior art does not teach or render obvious "wherein the incidents comprise report commands." *See* Advisory Action, page 2. Applicants have amended independent Claims 1 and 10 to include "wherein the incidents comprise report commands." Therefore, Applicants respectfully request allowance of Claims 1 and 10 because, as the Examiner indicated in the Advisory Action, the prior art does not teach or render obvious each

element of amended Claims 1 and 10. Moreover, since Claims 2-4, 11, 13-15, 17 and 19 each depends, either directly or indirectly, from one of independent Claims 1 and 10, Applicants respectfully submit that Claims 2-4, 11, 13-15, 17 and 19 are allowable over the cited art and request allowance of Claims 2-4, 11, 13-15, 17 and 19.

New Claims

Applicants add new Claims 21-32 which are fully supported by the original specification. No new matter has been added. Claim 21 includes "identifying commands of program applications of the legacy computer system that output data." Applicants respectfully submit that the cited art does not disclose, teach or suggest identifying output commands of a legacy computer system program application. Claim 21 also includes "defining a control flow graph of the output commands." Applicants submit that the cited art does not disclose, teach or suggest defining a control flow graph of output commands. Claims 22-27 each depend, either directly or indirectly, from Claim 21. Applicants thus respectfully request allowance of Claims 21-27. Claims 28-32 each depend, either directly or indirectly, from Claim 5, a claim that the Examiner indicated was allowable in the Advisory Action. Applicants thus respectfully request allowance of Claims 28-32.

Applicants further note that in a rejection of a previous claim, the Examiner attempted to combine teachings of certain references; and in response to an argument by Applicants that the Examiner had cited no motivation to make such combination, the Examiner stated that "[b]oth applications are analogous and deal with mapping and acquiring information or transitioning between systems." *See* Advisory Action, page 2. Applicants however point out that the fact that references may comprise analogous or related art is not the only requirement for combining references. There must also exist a specific suggestion or motivation in the art to combine the references. *See* MPEP § 2142. Broad conclusory statements by the Examiner regarding the teaching of multiple references standing alone are not evidence of a motivation to combine the references. *See In re Dembiczak*, 175 F.3d 994, 999 (Fed. Civ. 1999). Instead, the Examiner must explain the "specific understanding or principle within the knowledge of the skilled artisan that would motivate . . . the combination." *See id.*

Conclusion

Applicants have made an earnest attempt to place all pending claims of this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully requests reconsideration and full allowance of all pending claims.

Please charge the Deposit Account No. 05-0765 of Electronic Data Systems Corporation the amount of \$770.00 to satisfy the request for continued examination fee of 37 CFR 1.117(e).

In the Response to Advisory Action, Applicants included instructions to charge Deposit Account No. 05-0765 of Electronic Data Systems Corporation the amount of \$252.00 for three new independent claims related to amendments to Claims 1, 5, 8, 10 and 12. Please also charge Deposit Account No. 05-0765 of Electronic Data Systems Corporation the amount of \$266.00 for adding new Claims 21-32.

Applicants believe that no other fees are due. In the Response to Advisory Action (filed together with a 1-month extension of time and instructions to deduct the associated fee), Applicants previously attempted to place all pending claims in condition for allowance based on the Examiner's statements in the Advisory Action as to what constituted allowable claim limitations. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayments to Deposit Account No. 05-0765 of Electronic Data Systems Corporation.

If there are matters that can be discussed by telephone to further the prosecution of this application, Applicants respectfully request that the Examiner call their attorney at the number listed below.

Respectfully submitted,

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